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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/501,590	02/10/2000	Yukinori Yamamoto	35.C14250	4096

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

AN, SHAWN S

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 08/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/501,590

Applicant(s)

YAMAMOTO, YUKINORI

Examiner

Shawn S. An

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. As per Applicant's instructions as filed on 2/25/05, claims 1, 3-4, and 13-14 have been amended, and claim 16 has been canceled.

Response to Remarks

2. Applicant's arguments with respect to claims 1-15 have been carefully considered but are moot in view of the new ground(s) of rejection

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 7, and 10-15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al (6,057,884) in view of Lee (5,448,369) and Blatter (6,584,275 B1).

Regarding claims 1, 7, 13, and 14, Chen et al discloses a decoding apparatus/method or computer readable storage medium (col. 1, lines 22-32) which stores a program, comprising:

an input unit (Fig. 1, 245) for inputting a bitstream obtained by coding a plurality of object data in units of objects and multiplexing the coded data, wherein the plurality of object data which provide a desired scalability in accordance with a combination among the plurality of objects (280);

a separation (demux) unit (250) for separating coded data of each object from the bitstream;

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an outputting unit (260, 270) for decoding the coded data of the object in accordance with the data and outputting the decoded data; and
a synthesis unit (280) for synthesizing the object data outputted by the outputting unit.

Chen et al fails to disclose a judgement unit adapted to judge permission of reproduction of the coded data by using intellectual property and management protection data included in the bitstream, and a control unit adapted to perform reproduction-control according to a judgement result obtained by the judgement unit and the level of reproduction-permitted scalability.

However, Lee teaches a control unit (Fig. 2, 250) adapted to perform reproduction-control according to the level of reproduction-permitted scalability (see 250 to 230 to 130).

Furthermore, Blatter teaches a judgement unit (Fig. 1, 103) adapted to judge permission of reproduction of the coded data by using copyright protection data included in the bitstream, and a control unit (111 and/or 104) adapted to perform reproduction-control according to a judgement result obtained by the judgement unit.

Moreover, a copyright protection data such as intellectual property and management protection data included in a bitstream for transmission is well known in the art.

Therefore, it would have been considered quite obvious to a person of ordinary skill in the relevant art employing Chen et al's decoding apparatus to incorporate the Lee's teaching as above for decoding and displaying video data according to characteristics of end user's preference, and also incorporate Blatter's teaching as above to prevent viewing/displaying of copyright (important) data such as intellectual property and management data from unauthorized viewers.

Regarding claim 2, Chen et al discloses MPEG 4 (col. 1, lines 13-22).

Regarding claim 3, Blatter teaches the input unit including coded bitstream (Fig. 1, 10), and a descrambling unit (103) for descrambling the scrambled bitstream.

Regarding claim 4, the Examiner takes official notice that the IPMP data (typically not encoded) is well known term in the art. Therefore, it would have been

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considered quite obvious for the descrambling unit to descramble the scrambled bitstream in accordance with intellectual property data in order to protect the copyright information, thereby controlling the scrambled bitstream based on authentication verification.

Regarding claim 5, the Examiner takes official notice that a read unit for reading descrambling data for descrambling the scrambled data is well known in the art.

Further, the combination of Chen et al, Lee, and Blatter does not particularly disclose storing descrambling data in a well known IC card.

However, a storage medium such as an IC card is conventionally well known in the art.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a decoding apparatus as taught by Chen et al to incorporate the IC card for storing program data such as a player subscriber information.

Regarding claim 10, Chen et al discloses monitoring unit (Fig. 1, 185) for monitoring the object data synthesized by the synthesis unit.

Regarding claim 11, Chen et al discloses communication unit (communication line) for performing data communication with an external device (Fig. 1, 185), wherein the communication device transmits information representing that the bitstream is decoded.

Regarding claim 12, Chen et al discloses data communication through Internet (col. 5, lines 53-55).

Regarding claim 15, Chen et al discloses object data including different resolutions (Col. 2, lines 7-27).

5. Claims 6 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al, Lee, and Blatter as applied to claim 1 above, and further in view of Takahashi (6,295,380 B1).

Regarding claim 6, the combination of Chen et al, Lee, and Blatter does not seem to disclose a read unit for reading selection data for selecting the object, wherein the selection data is stored in an IC card, and a selection unit for selecting the

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predetermined object from the plurality of objects in accordance with the selection data read by the read unit

However, Takahashi teaches a read unit (Fig. 12, 13a) for reading selection data for selecting the object, and a selection unit for selecting the predetermined object from the plurality of objects in accordance with the selection data read by the read unit (Fig. 16).

Takahashi also teaches an object data decoding apparatus as an object data processing apparatus (Fig. 12), and that IC card, ROM cassette, or the like may be used so as long as it can record a program (col. 29, lines 42-47).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a decoding apparatus as taught by Chen et al to incorporate the Takahashi's read unit, selecting unit, and IC card so as to selectively choose objects in priority to meet the demands of cable subscribers.

Regarding claim 8, the combination of Chen et al, Lee, and Blatter does not particularly disclose an audio object.

However, Takahashi teaches an audio object (Fig. 19, Pa4) in a decoder (Fig. 12).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a decoding apparatus as taught by Chen et al to incorporate the audio object as taught by Takahashi for efficiently decoding encoded audio data.

Regarding claim 9, Takahashi discloses a scene description object (Fig. 11, Sf).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then

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the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

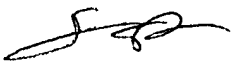
7. The prior art made of record is considered pertinent to applicant's disclosure.

A) Ichinoi (6,266,477 B1), Data signal recording and/or reproducing method and system operable with analog and/or digital data signals.

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Shawn S. An* whose telephone number is 571-272-7324.

9. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SHAWN AN
PRIMARY EXAMINER

7/29/05